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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**Ameen Nagi Saleh,
Petitioner,**

**Civil Action
Docket 08-cv-0076 (SAS)**

v.

**LOCAL RULE 56.1
STATEMENT OF
MATERIAL FACTS**

**Andrea Quarantillo, et al.,
Respondents.**

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Petitioner Ameen Nagi Saleh, by his attorney Romben Aquino, for his Statement of Material Facts, pursuant to Local Civil Rule 56.1, herein alleges as follows:

1. Saleh has been a lawful permanent resident of the United States since December 1, 1990. See N-400 Application for Naturalization; see also Alien Registration Card.
2. On January 29, 1994, Saleh was arrested, but the charges were dismissed. See Disposition of Arrest.
3. On three other occasions (November 15, 2005; January 13, 2006; and April 14, 2006), Saleh was arrested and convicted of disorderly conduct under New York Penal Code § 240.20. See Dispositions of Arrest.
4. Between February 2002 and February 2007, Saleh traveled twice to Yemen, for periods of 149 and 120 days. See N-400 Application for Naturalization, at 4.
5. On or about February 16, 2007, Saleh submitted a N-400 Application for Naturalization to USCIS. See N-400 Application for Naturalization, at 1-10.

6. On May 16, 2007, a District Adjudications Officer employed by USCIS examined Saleh regarding his naturalization application. See USCIS Decision dated May 31, 2007.
7. On May 31, 2007, USCIS denied Saleh's N-400 Application. See USCIS Decision dated May 31, 2007.
8. On or about June 20, 2007, Saleh submitted an administrative appeal of his N-400 denial, technically called a N-336 Request for Hearing on Decision in Naturalization Proceedings. See USCIS Decision dated December 20, 2007.
9. On December 20, 2007, USCIS denied Saleh's N-336 administrative appeal. See USCIS Decision dated December 20, 2007.

Dated: August 27, 2008
New York, New York

Respectfully submitted,
FERRO & CUCCIA

/s/ Romben Aquino

By: _____
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